

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ANTHONY MOORE,
Petitioner,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**
Civil File No. 25-1077 (MJD/LIB)

TRACY BELTZ,

Respondent.

Anthony Moore, Petitioner, pro se.

Thomas R. Ragatz, Minnesota Attorney General's Office, Counsel for
Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois filed April 3, 2025. [Doc. 5.] Petitioner filed objections to the Report and Recommendation. [Doc. 6.] At the same time, Petitioner filed a Motion to Hold this Case in Abeyance until the Minnesota Supreme Court Rules on his Petition for Review. [Doc. 7.]

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of Magistrate Judge Brisbois.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois filed April 3, 2025 [**Doc. 5**];
2. Petitioner Anthony Moore's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, [**Doc. 1**], is **DENIED**;
3. Petitioner's Motion to Present Oral Argument, [**Doc. 2**], is **DENIED as moot**;
4. Petitioner's Motion for the Appointment of Counsel, [**Doc. 3**], is **DENIED as moot**;
5. Petitioner's Motion to Hold this Case in Abeyance until the Minnesota Supreme Court Rules on his Petition for Review, [**Doc. 7**], is **DENIED as moot**;
6. This action is **DISMISSED without prejudice**; and
7. No certificate of appealability shall issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 6, 2025

s/Michael J. Davis
Michael J. Davis
United States District Court